State of Wisconsin
2009 - 2010 LEGISLATURE

LRB–1836/1
CTS:wlj:jf

2009 ASSEMBLY BILL 482

October 6, 2009 – Introduced by Representatives RICHARDS, ROYS, HUBLER, MASON, YOUNG, PASCH, TURNER, GRIGSBY, SCHNEIDER, HINTZ, VUKMIR, SINICKI, POPE-ROBERTS, NEWCOMER, KRAMER, VRUWINK, CULLEN and FIELDS, cosponsored by Senators RISSER, CARPENTER, OLSEN, COWLES, ERPENBACH, LAZICH, TAYLOR, DARLING and PLALE. Referred to Committee on Health and Healthcare Reform.

AN ACT ***to create*** 100.30 (6) (a) 10. of the statutes; **relating to:** the minimum sale price of prescription drugs.

Analysis by the Legislative Reference Bureau

Under current law, the Unfair Sales Act or "minimum markup" law prohibits "loss leaders," or wholesale and retail sales of merchandise at a price below the cost of the merchandise to the seller.

This bill exempts prescription drugs from the Unfair Sales Act. As a result, the bill deletes the current prohibition on below–cost sales of prescription drugs.

For further information see the ***state*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 100.30 (6) (a) 10. of the statutes is created to read:

100.30 **(6)** (a) 10. Merchandise is a prescription drug, as defined in s. 450.01 (20).

(END)